

1 State of Arkansas
2 93rd General Assembly
3 First Extraordinary Session, 2021
4

A Bill

Call Item 1
HOUSE BILL 1006

5 By: Representative Tollett
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE "ARKANSAS SAFE SCHOOLS ACT"
9 CONCERNING REQUIREMENTS FOR PUBLIC SCHOOL DISTRICTS
10 DURING A STATE OF DISASTER EMERGENCY RELATED TO
11 PUBLIC HEALTH; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO CREATE THE "ARKANSAS SAFE SCHOOLS ACT"
16 CONCERNING REQUIREMENTS FOR PUBLIC SCHOOL
17 DISTRICTS DURING A STATE OF DISASTER
18 EMERGENCY RELATED TO PUBLIC HEALTH; AND
19 TO DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as
26 the "Arkansas Safe Schools Act."
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28 SECTION 2. Arkansas Code Title 6, Subchapter 10, is amended to add an
29 additional section to read as follows:

30 6-10-137. Protocols during a state of emergency related to public
31 health.

32 During a state of disaster emergency related to public health regarding
33 an infectious, contagious, and communicable disease declared under the
34 Arkansas Emergency Services Act of 1973, § 12-75-101 et seq., including
35 without limitation a statewide state of disaster emergency related to public
36 health regarding an infectious, contagious, and communicable disease, a



1 public school board or an open enrollment charter school:

2 (1) Shall, with respect to children under the age of twelve (12)
3 in a school building, school bus, or other congregate educational setting
4 during times dedicated for academic purposes:

5 (A) Provide for social distancing between each student and
6 staff member when practicable, consistent with recommendations of the
7 Department of Health;

8 (B) Provide students and staff members access to hand
9 sanitizer and provide increased opportunities for hand washing;

10 (C) Increase the number and thoroughness of cleaning and
11 sanitizing routines for facilities within the school;

12 (D) Provide for the quarantine of students and staff
13 members from attendance at school consistent with recommendations of the
14 Department of Health; and

15 (E) Implement any other safety measures recommended by the
16 Department of Health to the extent those recommended safety measures do not
17 conflict with subdivisions (1) and (2) of this section; and

18 (2) May, with respect to children under the age of twelve (12)
19 in a school building, school bus, or other congregate educational setting
20 during times dedicated for academic purposes:

21 (A) Provide for temperature checks of each student and
22 staff member at the first part of the day and send home any student or staff
23 member who presents with a temperature above that recommended by the
24 Department of Health for attendance at school; and

25 (B) Implement masking protocols that:

26 (i) Promote the voluntary use of face masks, face
27 shields, or other face coverings by students and staff members;

28 (ii) Provide education on the proper way to wear
29 face masks, face shields, or other face coverings; and

30 (iii) Supply students with face masks, face shields,
31 or other face coverings.

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33 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly of the State of Arkansas that on July 29, 2021, Governor Asa
35 Hutchinson declared a statewide state of disaster emergency related to public
36 health under the Arkansas Emergency Services Act of 1973, § 12-75-101 et

1 seq., for the purpose of meeting and mitigating the impact of coronavirus
2 2019 (COVID-19) on the healthcare system of Arkansas; the Delta Variant of
3 coronavirus 2019 (COVID-19) has infected thousands of Arkansans in recent
4 months and infections and hospitalizations continue to rise at an alarming
5 rate, placing the accessibility to healthcare facilities for all Arkansans at
6 risk; that the 2021-2022 public school year will begin in the month of August
7 while the Delta Variant of coronavirus 2019 (COVID-19) has placed the state
8 in a public health emergency; and that this act is immediately necessary to
9 ensure that students and staff members of public school districts have
10 adequate health and safety protections in place for the upcoming school year.
11 Therefore, an emergency is declared to exist, and this act being immediately
12 necessary for the preservation of the public peace, health, and safety shall
13 become effective on:

14 (1) The date of its approval by the Governor;

15 (2) If the bill is neither approved nor vetoed by the Governor,
16 the expiration of the period of time during which the Governor may veto the
17 bill; or

18 (3) If the bill is vetoed by the Governor and the veto is
19 overridden, the date the last house overrides the veto.

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